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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,975	01/15/2004	Pawel Z. Chadzynski	20768/2012	4258

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EXAMINER
WOOD, WILLIAM H

ART UNIT	PAPER NUMBER
2193	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/757,975	CHADZYNSKI, PAWEL Z.
	Examiner	Art Unit	
	William H. Wood	2193	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>13 March 2008</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-29</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-29</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All b) ☐ Some * c) ☐ None of:

    1. ☐ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-29 are pending and have been examined.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the

fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Since this application is eligible for continued examination under 37 CFR

1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality

of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 13 March 2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Notani** et al. (USPN 6,567,783 B1) in view of **Thackston** (US 6,928,396

B2).

Claim 1

Notani disclosed a computerized method for collaborating over a network to manipulate a design using a plurality of heterogeneous user applications running on respective clients connected to the network *(column 1, lines 50-55)*, said method comprising the steps of:

connecting a session client process to a session manager over the network to participate in a collaborative session *(figure 14, column 15, lines 17-33)*;

sharing session control messages with other session client processes connected to said session manager *(figure 14, column 15, lines 17-33)*;

loading design data representing said design into a local application running on said client *(figure 14, column 15, lines 17-33)*;

creating at least one application state file representing at least one application state of said local application based on at least one manipulation of said design using said local application *(figure 14, column 15, lines 17-33)*;

communicating said at least one application state file from said session client process to said other session client processes via said session manager *(figure 14, column 15, lines 17-33)*; and

loading at least one application state file created by other local applications and communicated from said other session clients via said session manager *(figure 14, column 15, lines 17-33)*.

Notani did not explicitly state manipulating a design representing electrical or

mechanical assemblies. **Thackston** demonstrated that it was known at the

time of invention to make use of, in a distributed environment, collaboration on

a design representing electrical or mechanical assemblies (column 1, lines 21-

35; column 3, lines 55-61). It would have been obvious to one of ordinary skill

in the art at the time of invention to implement the distributed collaboration on

workflows of **Notani** with product design corresponding to workflows as found

in **Thackston**'s teaching. This implementation would have been obvious

because one of ordinary skill in the art would be motivated to reduce cost and

facilitate ease of development (**Thackston**: column 6, lines 11-15) and efficient

management of complex manufacturing processes (**Notani**: column 1, lines

41-42).

Claim 2

Notani disclosed the method of claim 1 wherein said at least one application

state is encoded using normalized XML structures to create said at least one

application state file, and wherein said at least one application state file is

communicated as an XML message *(column 3, line 55; and column 7, lines 47-

49)*.

Claim 3

Notani disclosed the method of claim 2 wherein said XML structures are based

on domain specific conventions defined in the context of the type of design data

(column 3, lines 44-45).

<u>*Claim 4*</u>

Notani disclosed the method of claim 1 further comprising saving said session

controls and said at least one application state file in a journal file *(column 14,*

lines 39-42; figure 14).

<u>*Claim 5*</u>

Notani disclosed the method of claim 1 further comprising the step of

scheduling said collaborative session *(column 14, lines 39-42).*

<u>*Claim 6*</u>

Notani disclosed the method of claim 1 further comprising the step of

conducting a text-based conversation with said other session clients *(column*

14, lines 39-42).

<u>*Claim 7*</u>

Notani disclosed the method of claim 1 further comprising the steps of logging

in to said collaborative session and logging out of said collaborative session

(column 14, lines 39-42).

Claim 8

Notani disclosed the method of claim 1 further comprising the step of
controlling the loading of said application state file at a time selected by the
user _(column 14, lines 39-42)_.

Claim 9

Notani disclosed the method of claim 1 further comprising the step of
displaying design manipulations corresponding to said application state file
created and communicated by said other application files _(figures 10 and 11)_.

Claim 10

Notani disclosed the method of claim 1 wherein said design is manipulated
without having to transmit design images between said heterogeneous
applications _(column 3, line 55, using these standards)_.

Claim 12

Notani disclosed the computerized method of claim 11 wherein said method is
an asynchronous method of collaboration _(column 6, line 22)_.

Claim 13

Notani disclosed the computerized method of claim 11 wherein said journal file
provides interactive instructions when played back on said another computer

(figure 14).

<u>*Claim 15*</u>

Notani disclosed the computerized method of claim 14 wherein the step of

manipulating said design includes highlighting said design object, and wherein

said other of said applications highlights said corresponding design object

upon reading said application state file *(column 11, lines 62-65)*.

<u>*Claim 16*</u>

Notani disclosed the computerized method of claim 14 wherein said

heterogeneous applications collaborate bi-directionally *(figure 14, element 212)*.

<u>*Claims 11, 14 and 17-25*</u>

Claims 11, 14 and 17-25 correspond to claims 1-10 and are rejected in a

corresponding manner.

<u>*Claims 26-27 and 29*</u>

Claims 26-27 and 29 correspond to claims 1-10 and are rejected in a

corresponding manner.

<u>*Claim 28*</u>

Notani and **Thackston** disclose the method of claim 26 wherein the at least

one local application state event is at least one of a plurality of normalized

application state events recognized by each of the heterogeneous user

applications *(Thackston: column 5, lines 50-53)*.

Response to Arguments

Applicant's arguments with respect to claims 1-29 have been considered

but are moot in view of the new ground(s) of rejection.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to William H. Wood whose telephone number is (571)-272-3736.
The examiner can normally be reached 10:00am - 4:00pm Tuesday thru Friday.
    If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Lewis A. Bullock Jr. can be reached on (571)-272-3759. The fax phone numbers
for the organization where this application or proceeding is assigned are (571)273-8300 for
regular communications.
    Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained form either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about the PAIR
systems, see http://pair-direct.uspto.gov. For questions on access to the Private PAIR system,
contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
    Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is (703)305-3900.

/William H. Wood/
William H. Wood
Primary Examiner, Art Unit 2193
April 1, 2008